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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/671,140

09/25/2003

Roger Graham Byford

VOCO / 07

7571

26875 7590 12/03/2008
WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

EXAMINER

CUMMING, WILLIAM D

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

12/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10671140	9/25/03	BYFORD ET AL.	VOCO / 07

WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

EXAMINER

WILLIAM D. CUMMING

ART UNIT	PAPER
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2617	20081114
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DATE MAILED:

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Commissioner for Patents

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. The application has been amended as follows:

IN THE SPECIFICATION:

On page 1, first paragraph, replace the paragraph with:

--This application is related to the application entitled "Apparatus and Method for Detecting User Speech" by Byford, United States Patent Application 10/671,142, filed on September 25, 2003, now abandoned, which application is incorporated herein by reference in its entirety --

IN THE CLAIMS:

54.The method of claim [53] --45--further comprising capturing audio signals with a second microphone positioned in the headset, the first microphone detecting a greater proportion of speech sounds of a user than the second microphone processing the signals generated by the first and second microphones to determine if the user is speaking as opposed to extraneous noise being captured.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM D. CUMMING whose telephone number is 571-272-7861. The examiner can normally be reached on Tuesday- Friday, 11:00am-8:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 571-272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WILLIAM D CUMMING/
Primary Examiner
Art Unit: 2617

PTO-90C (Rev.04-03)

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/WILLIAM D CUMMING/
Primary Examiner
Art Unit 2617
